

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NO. <b>890050.505USPC</b>
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/511,876</b>
		PRIORITY DATE CLAIMED <b>April 22, 2002</b>
INTERNATIONAL APPLICATION NO. <b>PCT/JP03/05089</b>	INTERNATIONAL FILING DATE <b>April 22, 2003</b>	
TITLE OF INVENTION <b>OPTICAL RECORDING MEDIUM</b>		
APPLICANT(S) FOR DO/EO/US <b>Tetsuro Mizushima and Jiro Yoshinari</b>		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li><input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li><input type="checkbox"/> The US has been elected (Article 31).</li> <li><input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto.</li> <li><input checked="" type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li><input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input type="checkbox"/> A preliminary amendment.</li> <li><input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</li> <li><input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li><input checked="" type="checkbox"/> Other items or information: <b>Response to Notification of Missing Requirements; English Translation of the Claims; and Copy of Notification of Missing Requirements.</b></li> </ol>		

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/511,876</b>		INTERNATIONAL APPLICATION NO. <b>PCT/JP03/05089</b>		ATTORNEY'S DOCKET NUMBER <b>890050.505USPC</b>	
The following fees are submitted					
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)) .....				<b>\$300.00</b>	<b>\$0.00</b>
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by the IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....				<b>\$ 0.00</b>	
All other situations .....				<b>\$200.00</b>	<b>\$0.00</b>
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by the IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....				<b>\$ 0.00</b>	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....				<b>\$100.00</b>	
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB .....				<b>\$400.00</b>	
All other situations .....				<b>\$500.00</b>	<b>\$0.00</b>
<b>TOTAL OF 21, 22 AND 23 =</b>					<b>\$0.00</b>
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is <b>\$250</b> for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		X \$250.00		<b>\$0.00</b>
Surcharge of <b>\$130.00</b> for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).					<b>\$0.00</b>
Claims	Number Filed	Number Extra	Rate		
Total Claims	- 20 =		x <b>\$ 50.00</b>		<b>\$0.00</b>
Independent Claims	- 3 =		x <b>\$ 200.00</b>		<b>\$0.00</b>
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ <b>\$360.00</b>	<b>\$0.00</b>
<b>TOTAL OF ABOVE CALCULATIONS =</b>					<b>\$0.00</b>
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					<b>\$0.00</b>
<b>SUBTOTAL =</b>					<b>\$0.00</b>
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	<b>\$130.00</b>
<b>TOTAL NATIONAL FEE =</b>					<b>\$130.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property				+	<b>\$0.00</b>
<b>TOTAL FEES ENCLOSED =</b>					<b>\$130.00</b>
				<b>Amount to be refunded:</b>	
				<b>Amount to be Charged:</b>	

08/23/2005 GFREY1 00000095 10511876

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U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/511,876</b>	INTERNATIONAL APPLICATION NO. <b>PCT/JP03/05089</b>	ATTORNEY'S DOCKET NUMBER <b>890050.505USPC</b>
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a. ☒ A check in the amount of **\$130** to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. **19-1090** in the amount of \$\_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

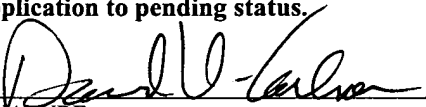
c. ☒ The Commissioner is hereby authorized to charge **any deficiency in the basic national fee** which may be required, or credit any overpayment to Deposit Account No. **19-1090**. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.**

SEND ALL CORRESPONDENCE TO:

**David V. Carlson**  
Seed Intellectual Property Law Group PLLC  
701 5<sup>th</sup> Avenue, Suite 6300  
Seattle, WA 98104-7092  
United States of America  
(206) 622-4900

  
SIGNATURE

**David V. Carlson**  
NAME

**31,153**  
REGISTRATION NUMBER

680140\_1.DOC

(07/05)

PATENT

PATENT COOPERATION TREATY

Applicants : Tetsuro Mizushima et al.  
Int'l Application No. : PCT/JP03/05089  
U.S. Application No. : 10/511,876  
Int'l Filing Date : April 22, 2003  
Title : OPTICAL RECORDING MEDIUM

Docket No. : 890050.505USPC  
Date : August 16, 2005

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Commissioner for Patents:

In response to the Notification of Missing Requirements dated June 23, 2005,  
please find enclosed the following documents:

  X   Fee  
      Oath/Declaration  
  X   Copy of Notification of Missing Requirements  
  X   English Translation of Claims

Respectfully submitted,  
Seed Intellectual Property Law Group PLLC

  
\_\_\_\_\_  
David V. Carlson  
Registration No. 31,153

EXPRESS MAIL NO. EV561559596US



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/511,876	Tetsuro Mizushima	890050.505USPC

INTERNATIONAL APPLICATION NO.
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PCT/JP03/05089

I.A. FILING DATE	PRIORITY DATE
04/22/2003	04/22/2002

David V Carlson  
 Seed Intellectual Property Law Group  
 701 th Avenue  
 Suite 6300  
 Seattle, WA 98104-7092

CONFIRMATION NO. 4217  
 371 FORMALITIES LETTER



\*OC000000016310186\*

Date Mailed: 06/23/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/19/2004
- Copy of the International Search Report filed on 10/19/2004
- Information Disclosure Statements filed on 10/19/2004
- Oath or Declaration filed on 10/19/2004
- Request for Immediate Examination filed on 10/19/2004
- U.S. Basic National Fees filed on 10/19/2004
- Assignment filed on 10/19/2004
- Priority Documents filed on 10/19/2004

RECEIVED

JUN 27 2005

SEED INTELLECTUAL PROPERTY  
 LAW GROUP PLLC

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below. Note a processing fee will be required if submitted later than 30 months from the priority date.
  - The number of claims in the International Application and the number of claims in the translation are not the same.
- Processing fee for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(f)).

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- \$130 for English translation surcharge required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/511,876	PCT/JP03/05089	890050.505USPC